IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

C.W.P. No. 1164 of 2006
Date of Decision: Nov. 21,2006

Madan Lal ..... Petitioner

Versus

Chief Canal Officer, BWSU, Haryana Irrigation Department, Panchkula and others ..... Respondents

Coram: Hon'ble Mr. Justice Ashutosh Mohunta
Hon'ble Mrs. Justice Nirmal Yadav

Present: Ms. Divya Godara, Advocate
for the petitioner.

Mr. R.S.Kundu, Addl. A.G. Haryana with
Mr. S.K.Bishnoi, DAG, Haryana.

...

ASHUTOSH MOHUNTA, J. (Oral)

The petitioner prays that the impugned orders (Annexures P1, P2 and P4) be set aside and the area of the petitioner be kept as Commanded Canal Area (CCA).

A perusal of the impugned orders shows that the area has come under the Rori-Ghaggar-Drain and is considered as Gair Mumkin area. As a drain has been constructed in this area, therefore, there is no chance of irrigation in the area in question. Resultantly, the Canal Authorities have declared this area to be Uncommanded Canal Area (UCA).

Thus, in view of the fact that a drain has been constructed on the area, therefore, the area has rightly been declared as Uncommanded Canal Area. There is no infirmity in the impugned orders.

Dismissed.

(ASHUTOSH MOHUNTA)
JUDGE

21.11.2006 **(NIRMAL YADAV)**
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